



March 7, 2024

Hon. Michael J. Roemer
United States Magistrate Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: *Consumer Financial Protection Bureau, et al. v. StratFS, LLC, et al.*
Case No. 24-cv-40

Dear Judge Roemer:

Lippes Mathias LLP represents the Corporate Defendants as defined in the Preliminary Injunction Order dated March 4, 2024 (Dkt. 184, the "Order"). As the Court is aware, § IV of the Order mandates that the Corporate Defendants prepare and deliver to Plaintiffs today certain financial statements and accounting attached to the Temporary Restraining Order (Dkt. 12, "TRO") as Attachments B-D. Because the Receiver has been in full control of the Corporate Defendants pursuant to the TRO since January 11, 2024, the Receiver is the only person with the authority and ability to comply with the Order's financial disclosure requirements.

More specifically, the Receiver has the sole authority and access to records necessary to comply with the Order's mandate to produce "a completed financial statement *accurate as of the date of service of this Order [March 4, 2024]* ... in the form of Attachment B to the TRO ..." (emphasis added) and a "Request for Copy of a Tax Return in the form of Attachment C ..." Similarly, the Receiver has the access to records showing "all incoming or outgoing payments, transfer, or assignment of funds, Assets, or property worth \$5000 or more *since January 1, 2016*" (emphasis added) and has sole authority to verify under oath "all gross and net profits *since January 1, 2016* ... related in any way to a Debt Relief Service." (emphasis added). Order, § IV.

Accordingly, the Corporate Defendants anticipate that the Receiver will be complying with § IV of the Order by the end of the day. My law partner, Scott Allen, called the Receiver's attorney, Mr. Thoman, today to confirm the same, but as of the filing of this letter, has not received such confirmation.

We thank the Court for its thoughtful consideration in this matter.

Respectfully,



Dennis C. Vacco



cc: Christopher.boyd@ny.ag.gov
vanessa.buchko@cfpb.gov
monika.moore@cfpb.gov
joseph.sanders@cfpb.gov
kevin.burns@coag.gov
marion.quirk@delaware.gov
kevin.kevitsky@delaware.gov
greg.grzeskiewicz@ilag.gov
Daniel.edelstein@ilag.gov
Amanda.bacoyanis@ilag.gov
Matthew.davies@ilag.gov
Evan.romanoff@ag.state.mn.us
lweaver@ncdoj.gov
beilinlw@doj.state.wi.us
jthoman@hodgsonruss.com
tmcnamara@mcnamarallp.com